



08/479997

#20  
99-95

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification

of this Application:

Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:

Exam'r: S. Houtteman

Group Art Unit: 1807

Attorney's

Docket No.:

Enz-5(D6)(C2)

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

BOX FWC (if under \$1.62)

Sir:

This is a request for filing a X CONTINUATION    DIVISIONAL  
   CONTINUATION-IN-PART application under X 37 CFR §1.60  
   37 CFR §1.62, of pending prior application Serial No. 08/046,004  
filed on April 9, 1993 of Dean Engelhardt et al. for  
Inventor(s)

PHOSPHATE-MOIETY LABELED DETECTABLE NUCLEOTIDES  
(As Amended)

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2.    A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
3. X The filing fee is calculated as follows:

## CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

|   |                 |   |                 |   | RATE            |                 |   | FEE             |                 |
|---|-----------------|---|-----------------|---|-----------------|-----------------|---|-----------------|-----------------|
|   | Number<br>Filed |   | Number<br>Extra |   | Small<br>Entity | Other<br>Entity |   | Small<br>Entity | Other<br>Entity |
| Total<br>Claims   | 1               | = | 0               | x | \$ 11           | \$ 22           | = | \$              | \$ 0            |
| Independent<br>Claims   | 1- 3            | = | 0               | x | \$ 38           | \$ 76           | = | \$              | \$ 0            |
| Multiple Dependent<br>Claims Presented:    ___ Yes <u>X</u> No          |                 |   |                 |   | \$ 120          | \$ 240          | = | \$              | \$ 0            |
| * If the difference in Col. 1 is less than<br>zero, enter "0" in Col. 2 |                 |   |                 |   |                 | BASIC FEE       |   | \$ 365          | \$ 730          |
|   |                 |   |                 |   |                 | TOTAL FEE       |   | \$ -            | \$ 730          |

4. X The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135.  
A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 CFR §1.16.
- X Any patent application processing fees under 37 CFR §1.17.

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## EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. TB842440643Deposit Date JUNE 7, 1995

I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231

JUN 7 1995

5. X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.

X Any patent application processing fees under 37 CFR §1.17.

     The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

X Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6.      A check in the amount of \$                      is enclosed.

7. X Cancel claims 2-203.

8. X Amend the specification by inserting before the first line the sentence: --This is a X continuation,      divisional      continuation-in-part, of application Serial No. 07/532,461, filed on May 31, 1990, which is a division of Serial No. 07/140,980, filed on January 5, 1988, which in turn is a continuation of Serial No. 06/674,352, filed on November 21, 1984, abandoned, which, in turn, is a continuation of Serial No. 06/391,440, filed on June 23, 1982, also abandoned.--

9. X Transfer the drawings from the prior application.

10.      Informal      Formal      drawings are enclosed.

11.      Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

12.      Priority of application Serial No.                      filed on                      is claimed under 35 U.S.C. §119. The certified copy of the priority application has been filed in prior application Serial No.                     , filed                     .

13. X The prior application is assigned of record to Enzo Diagnostics, Inc. [A copy of the Assignment and the Notice of Recordation are attached.]

14. X A preliminary amendment is enclosed.

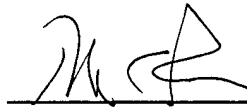
Enz-5(D6)(C2)

Dean Engelhardt et al.  
Serial No.: Not Yet Assigned  
Filed: Herewith  
Page 4 (Request For a Continuation Application Under 37 C.F.R. §1.60  
- June 7, 1995)

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

JUNE 7, 1995

Date



Signature [Ronald C. Fedus]

- ☐ Inventor(s)
- ☐ Assignee of Complete Interest
- ☒ Attorney or Agent of Record
- ☐ Filed under 37 CFR §1.34(a)

Address of Signator:

ENZO DIAGNOSTICS, INC.  
c/o Enzo Biochem, Inc.  
575 Fifth Avenue (18th Floor)  
New York, New York 10017

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